

JUL 08 2021

BEFORE THE REAL ESTATE COMMISSION

STATE OF NEVADA

REAL ESTATE COMMISSION
BY *Euler Patten*

SHARATH CHANDRA, Administrator,
REAL ESTATE DIVISION,
DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Case Nos. 2019-1388

Petitioner,

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER**

vs.

JESSICA LYNN RAZZARI,

Respondent.

This matter came before the Nevada Real Estate Commission (Commission) for hearing on Tuesday June 15, 2021, via telephone and video conference. Respondent JESSICA LYNN RAZZARI (Respondent) did not appear. Deputy Attorney General, Peter K. Keegan, appeared and prosecuted the Complaint on behalf of petitioner Sharath Chandra, Administrator of the Real Estate Division, Department of Business & Industry, State of Nevada (Division).

The matter having been submitted for decision based upon the allegations of the Complaint, the Commission now enters its Findings of Fact and Conclusions of Law as follows:

JURISDICTION

Respondent engaged in activities, which require a license as a real estate broker, real estate broker-salesperson, or real estate salesperson, and/or a permit to engage in property management, issued by the Division, and is, therefore, subject to the jurisdiction of the Division and the Commission, and the provisions of NRS and NAC 645.

PROCEDURAL HISTORY

The Commission finds that there is substantial evidence in the record to establish each of the following:

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1. On December 23, 2019, the Division received a complaint against Respondent from Chris Kauffman (Complainant) regarding the property management services provided by the Respondent for the property located at 900 South Meadows Parkway #1812, Reno, Nevada 89521 (Property).

2. On December 31, 2019, the Division sent Respondent an investigation-opening letter to her brokerage, via USPS certified mail delivery.

3. On January 2, 2020, the certified mailing of the investigation-opening letter was accepted by Taylor O' Daye at the Respondent's brokerage.

4. The Division received delivery confirmation of its investigation-opening letter USPS certified mailing on January 6, 2020.

5. The Division's investigation-opening letter required Respondent to submit a response to the facts alleged by the Complainant not later than January 14, 2020.

6. The Respondent emailed the Division on January 16, 2020 and requested mediation to resolve the complaint.

7. The Division responded to the Respondent's email and notified her that the Division does not offer mediation and that she was required to respond as directed in the investigation-opening letter dated December 31, 2019.

8. The Division extended the due date for the Respondent to provide a response until January 21, 2020.

9. On February 12, 2020, the Division sent a demand letter to the Respondent, via USPS certified mail, demanding she provide a response to the complaint not later than February 19, 2020.

10. On February 18, 2020, the Division received delivery confirmation that its demand letter was accepted by Erin Zunad on February 14, 2020.

11. On February 26, 2020, the Division sent RESPONDENT an NRS 233B letter indicating that the Division's investigation had obtained sufficient evidence to commence

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1 disciplinary action by filing a complaint with the Nevada Real Estate Commission
2 (Commission).

3 12. As of the date of this Complaint and Notice of Hearing the Respondent has
4 failed to provide a response to the Division regarding the complaint filed against her.

5 **FACTUAL ALLEGATIONS**

6 The Commission finds that there is substantial evidence in the record to establish
7 each of the following:

8 1. Respondent is a licensed Broker under license B.1001106.LLC and holds a
9 Property Management Permit under permit PM.0163844.BKR.

10 2. Respondent was formerly the Broker of record for Own It Realty and Property
11 Management LLC Brokerage; however, her license was revoked on May 10, 2021.

12 3. On August 4, 2019, the Respondent emailed the Complainant and asked if the
13 Complainant would authorize repainting of the Property.

14 4. On August 9, 2019, the Respondent emailed the Complainant, stating she
15 could have the Property repainted for \$800.00.

16 5. On September 12, 2019, the Respondent emailed the Complainant's mother
17 and stated that a tenant moved into the Property August 24, 2019.

18 6. On September 12, 2019, the Respondent emailed the Complainant's mother
19 and stated she was preparing "statements and payments this week and then we should be
20 on track."

21 7. On September 12, 2019, the Complainant's mother emailed the Respondent,
22 and stated it had "been a long time between incoming checks."

23 8. On October 2, 2019, the Complainant's mother emailed the Respondent and
24 asked, "where August & September rent checks went?"

25 9. On October 2, 2019, the Respondent emailed the Complainant's mother and
26 stated she had changed banks and she would "check into it."

27 10. On October 4, 2019, the Complainant's mother emailed the Respondent and
28 asked if the Respondent had heard from her bank about the missing rent checks.

1 11. On October 9, 2019, the Complainant emailed the Respondent and requested
2 several documents and rents owed for August 2019, September 2019, and October 2019.

3 12. On October 9, 2019, the Respondent emailed the Complainant and stated she
4 would provide the items requested.

5 13. On October 16, 2019, the Complainant emailed the Respondent and asked
6 when he would receive the requested documents and the rent for August 2019, September
7 2019, and October 2019.

8 14. On October 21, 2019, the Complainant emailed the Respondent and informed
9 the Respondent that he was terminating the property management agreement.

10 15. On October 21, 2019, the Complainant emailed the Respondent and explained
11 that he had hired a new property manager and that the Respondent was to transfer the
12 tenant's security deposit to the new property manager.

13 16. On November 1, 2019, the Complainant emailed the Respondent and stated
14 that the property manager for the Property had been trying to reach the Respondent.

15 17. On November 1, 2019, the Respondent texted the Complainant and stated she
16 "will get everything transferred next week" to the new property manager.

17 18. On November 6, 2019, the Complainant emailed the Respondent and stated
18 she would "mail the deposit" to the new property manager.

19 19. On November 22, 2019, the Complainant texted the Respondent and asked
20 the Respondent to send the tenant's security deposit to the new property manager.

21 20. On November 22, 2019, the Complainant texted the Respondent and asked
22 the Respondent to "remit the funds" owed to the Complainant.

23 21. On November 28, 2019, the Complainant emailed the Respondent with an
24 updated amount the Respondent owed the Complainant in addition to the tenant's security
25 deposit.

26 **VIOLATIONS ALLEGED**

27 The Commission, based upon the preponderance of the evidence, makes the following
28 legal conclusions:

1 1. RESPONDENT violated NRS 645.630(1)(f) by failing to, within a reasonable
2 time, remit to the Complainant the rents she collected for the Property.

3 2. RESPONDENT violated NRS 645.630(1)(f) by failing to, within a reasonable
4 time, remit to the Complainant the security deposit she collected for the Property.

5 3. RESPONDENT violated NRS 645.633(1)(h) pursuant to NAC 645.605(11)(a) &
6 (b) and/or NRS 645.635(6) for failing to respond to the Division's request for a written
7 response to the complaint against her and for failing to provide complete copies of the
8 transactions files for the Property.

9 **ORDER**

10 IT IS HEREBY ORDERED that Respondent shall pay to the Division a total penalty
11 of \$31,744.24. The total penalty reflects a fine of \$30,000.00, comprised of \$10,000.00 per
12 violation. The total penalty also reflects \$1,744.24 for hearing and investigative costs.
13 Respondent shall pay the total fine to the Division within sixty (60) days of the effective
14 date of this Order.

15 IT IS FUTHER ORDERED that Respondent's real estate licenses and permits are
16 hereby revoked.

17 If the payment is not actually received by the Division on or before its due date, it
18 shall be construed as an event of default by Respondent. In the event of default, the unpaid
19 balance of the administrative fine and costs, together with any attorney's fees and costs
20 that may have been assessed, shall be due in full to the Division within ten (10) calendar
21 days of the date of default. The Division may institute debt collection proceedings for
22 failure to timely pay the total fine.

23 The Commission retains jurisdiction for correcting any errors that may have
24 occurred in the drafting and issuance of this Decision.

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This Order shall become effective on the 7th day of August, 2021.

DATED this 8th day of July, 2021.

REAL ESTATE COMMISSION
STATE OF NEVADA

By: 
President, Nevada Real Estate Commission